

IOWA FINANCE AUTHORITY[265]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code sections 17A.3(1)“b,” 16.5(1)“r,” and 16.191 and 2010 Iowa Acts, Senate File 2389, section 10(4), the Iowa Finance Authority hereby amends Chapter 32, “Iowa Jobs Program,” Iowa Administrative Code.

The purpose of these amendments is to implement 2010 Iowa Acts, Senate File 2389, section 10(4), by amending Chapter 32, governing the Iowa Jobs Program.

The Authority does not intend to grant waivers under the provisions of any of these rules, other than as may be allowed under the Authority’s general rules concerning waivers.

Pursuant to Iowa Code section 17A.4(3), the Authority finds that notice and public participation are impracticable and contrary to the public interest in that the normal notice and public participation process would result in unnecessary expense and delays in the program, which is designed to provide assistance for disaster relief and mitigation, renovation and construction projects.

The Authority finds that adoption of these amendments confers a benefit on the public in that these amendments promote disaster relief and economic stimulus and ease and speed the administration of the program. The Authority finds that these amendments should be implemented as soon as feasible in order to facilitate the awarding of grants under the program and to avoid unnecessary expense and delays. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

The Authority adopted these amendments on June 9, 2010.

These amendments became effective June 10, 2010.

These amendments are intended to implement Iowa Code section 16.5(1)“r” and 2010 Iowa Acts, Senate File 2389, section 10.

The following amendments are adopted.

ITEM 1. Rescind subrule 32.5(1) and adopt the following **new** subrule in lieu thereof:

32.5(1) Pursuant to 2010 Iowa Acts, Senate File 2389, section 10(4)“a,” the board shall award \$30,900,000 as follows for disaster relief and mitigation renovation and construction projects, notwithstanding any limitation on the state’s percentage participation in funding as contained in Iowa Code section 29C.6(17):

a. To a county with a population between 189,000 and 196,000 in the last preceding certified federal census for the renovation and expansion of an administrative office building: \$4,400,000.

b. To a city with a population between 120,500 and 120,800 in the last preceding certified federal census, for the following projects:

(1) For renovation of an existing public building to make the building useful for city department offices: \$4,400,000.

(2) For flood mitigation or renovation in and around an existing courthouse: \$2,000,000.

c. To a city with a population between 198,000 and 199,000 in the last preceding certified federal census to be allocated as follows:

(1) For site acquisition, design, engineering, and construction of a fire training and logistics center: \$3,000,000.

(2) For land acquisition, design, and construction of sewers, structures, and pumping facilities necessary to separate and convey sewer flow within the riverpoint service area: \$1,250,000.

(3) For land acquisition, design, and construction of sewers, structures, and pumping facilities necessary to separate or convey sewer flow within the Court Avenue service area: \$3,050,000.

(4) For bank stabilization, stream bed stabilization, and erosion control on highly erodible ground that is impacting utilities, road infrastructure, and water quality: \$700,000.

(5) To improve utilization of two of the wastewater reclamation authority’s existing equalization basins for the control of peak flows during wet weather events in the authority’s sewer system: \$500,000.

d. For a publicly owned acute care teaching hospital located in a county with a population of over 350,000, for the construction and renovation of patient access and care facilities, equipment replacement and upgrades, and other infrastructure improvements: \$1,000,000.

e. For a city with a population between 98,300 and 98,400 in the last preceding certified federal census, for flood protection, replacement, and construction improvements to a recreational sports facility: \$1,050,000.

f. For a city with a population between 68,700 and 68,800 in the last preceding certified federal census, for a public works building that will allow the city to provide for disaster-related services: \$5,000,000.

g. For a city with a population between 62,100 and 62,250 in the last preceding certified federal census, for the demolition, relocation, and reconstruction of a public wastewater treatment plant and the development of a public green space: \$2,000,000.

h. For a city with a population between 2,545 and 2,555 in the last preceding certified federal census, for a streetscape project that reconstructs existing horizontal infrastructure and lighting systems utilizing sustainable development practices: \$1,175,000.

i. For a city with a population between 2,200 and 2,220 in the last preceding certified federal census, for construction of a public city building: \$475,000.

j. For a city with a population between 2,558 and 2,565 in the last preceding certified federal census, for the installation of backflow prevention devices for the city's storm sewer system: \$600,000.

k. For a city with a population between 6,875 and 6,890 in the last preceding certified federal census, for the construction of grade control structures and associated grading to mitigate future water damage to residential structures: \$300,000.

ITEM 2. Amend subrule 32.5(2) as follows:

32.5(2) Noncompetitive grant awards are contingent upon submission of a plan for each project by the applicable county or city governing board ~~or, in the case of a project submitted pursuant to subparagraph 32.5(1) "b"(2), by the board of directors, to the Iowa jobs board no later than September 1, 2009 2010, on a form to be prescribed by the authority, detailing information requested thereon, such as a description of the project, the plan to rebuild, and the amount or percentage of federal, state, local, or private matching moneys which will be or have been provided for the project, and similar information. Funds not utilized in accordance with this rule due to failure to submit a plan by the September 1 deadline shall revert to the Iowa jobs restricted capitals fund to be available for local infrastructure competitive grants.~~

ITEM 3. Rescind subrule **32.5(3)**.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/30/10.